

Environmental Protection Agency: FY2007 Appropriations Highlights

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During its first session, the 110th Congress completed action on FY2007 appropriations for the Environmental Protection Agency (EPA) with the enactment of the Revised Continuing Appropriations Resolution for FY2007 (P.L. 110-5, H.J.Res. 20). P.L. 110-5 provided funding through the end of that fiscal year for EPA and other federal agencies not funded in the appropriations laws for the Department of Defense (P.L. 109-289) and Homeland Security (P.L. 109-295). P.L. 110-5 provided funding for EPA in FY2007 at the same level, and under the authority and conditions, specified in the Interior, Environment, and Related Agencies Appropriations Act for FY2006 (P.L. 109-54), unless otherwise specified in P.L. 110-5.

As for other federal agencies, P.L. 110-5 did not indicate a total dollar amount for EPA. However, the law did specify dollar amounts for two of the agency's activities, including \$1.25 billion for the cleanup of hazardous waste sites under the Superfund program and \$1.08 billion for capitalization grants to support Clean Water State Revolving Funds (SRFs). Both amounts were an increase above the FY2006 appropriation. The law funded other EPA activities in FY2007 at the same level as specified for FY2006 in P.L. 109-54, including rescissions that were applicable to FY2006, but excluding emergency supplemental funding that had been provided in FY2006. EPA had received a total of \$21 million in emergency supplemental appropriations in FY2006 for hurricane-related assistance.

With the exception of Superfund and Clean Water SRF grants, the allocation of FY2007 funding at the FY2006 level applied to activities specified in P.L. 109-54. Within that statute, Congress specified funding for the eight accounts that fund EPA, and for relatively few program activities in those accounts. As in past years, Congress specified FY2006 funding for most program activities in non-binding committee report language, rather than in the statute. Therefore, EPA had discretion in allocating funding for such activities. However, P.L. 110-5 explicitly directed EPA and other agencies not to fund specific projects in FY2007 for which monies had been earmarked in committee reports for FY2006. The law stated that any language specifying an "earmark" in reports accompanying an FY2006 appropriations act "shall have no legal effect" on FY2007 funding. The law also stated that no EPA funds shall be available for making special project grants in FY2007 for water infrastructure, which were identified in the conference report on the FY2006 Interior appropriations bill (H.R. 2361, H.Rept. 109-188).

As Congress specified dollar amounts for relatively few program activities in P.L. 110-5, the law required federal agencies to report their allocations of FY2007 funding to the House and Senate Appropriations Committees. The following table indicates the allocation of FY2007 enacted appropriations for each of EPA's eight statutory accounts, and certain activities within those accounts. For comparison, the table also indicates the President's FY2007 budget request, proposals for FY2007 funding considered in the 109th Congress before the enactment of P.L. 110-5, and prior-year enacted amounts for FY2006.

Table I. EPA Appropriations Accounts: FY2006 – FY2007

Environmental Protection Agency Appropriations Accounts	(in millions of dollars)				
	FY2006 Enacted ^a	FY2007 Request	House- Passed	Senate- Reported	FY2007 Enacted
Science and Technology					
—Base Appropriations	\$730.8	\$788.3	\$808.0	\$793.4	\$733.4
—Transfer in from Superfund account	30.2	27.8	30.0	27.8	30.2
Science and Technology Total	761.0	816.1	838.0	821.2	763.6

Environmental Protection Agency Appropriations Accounts	(in millions of dollars)				
	FY2006 Enacted ^a	FY2007 Request	House- Passed	Senate- Reported	FY2007 Enacted
Environmental Programs and Management	2,346.7	2,306.6	2,338.2	2,310.7	2,358.4
Office of Inspector General					
—Base Appropriations	36.9	35.1	35.1	35.1	37.2
—Transfer in from Superfund account	13.3	13.3	13.3	13.3	13.3
Office of Inspector General Total	50.2	48.4	48.4	48.4	50.5
Buildings & Facilities	39.6	39.8	39.8	39.8	39.6
Hazardous Substance Superfund Total (before transfers)	1,242.1	1,259.0	1,256.9	1,261.3	1,255.1
—Transfer out to Office of Inspector General	(13.3)	(13.3)	(13.3)	(13.3)	(13.3)
—Transfer out to Science and Technology	(30.2)	(27.8)	(30.0)	(27.8)	(30.2)
Net Superfund Appropriations (after transfers)	1,198.6	1,217.8	1,213.6	1,220.2	1,211.6
Leaking Underground Storage Tank Program	72.0	72.8	72.8	72.8	^b 100.3
Oil Spill Response	15.6	16.5	16.5	16.5	15.7
State and Tribal Assistance Grants (STAG)					
—Clean Water State Revolving Fund	886.8	687.6	687.6	687.6	1,083.8
—Drinking Water State Revolving Fund	837.5	841.5	841.5	841.5	837.5
—Categorical Grants	1,113.1	1,089.2	1,122.6	1,096.5	1,084.9
—Other Grants	296.3	179.1	357.6	374.8	^b 179.3
—Rescission and Redirection of Prior Funds	^c (80.0)	n/a	n/a	n/a	n/a
State and Tribal Assistance Grants Total	3,133.7	2,797.4	3,009.3	3,000.4	3,185.5
Total EPA Appropriations Accounts	^d \$7,617.4	\$7,315.5	\$7,576.7	\$7,529.9	\$7,725.1

Source: Prepared by the Congressional Research Service. Amounts are from the House Appropriations Committee and the Senate Appropriations Committee. Numbers may not add due to rounding.

- FY2006 amounts reflect rescissions but exclude emergency supplementals of \$21 million for hurricane-related assistance.
- The House Interior Appropriations Subcommittee included \$28.2 million within the LUST account in its recommendations to the full committee for FY2008. This funding was allocated for certain FY2007 activities authorized by the Energy Policy Act of 2005 (P.L. 109-58). EPA's FY2007 Operating Plan presented the funding for these activities as categorical grants within the STAG account, resulting in a lower total amount for the LUST account as identified in the agency's plan.
- Congress made an additional \$80 million available to EPA in FY2006 by rescinding unobligated funding that had been appropriated in prior years and redirecting those funds to make them available in FY2006.
- Including the \$21 million in emergency supplementals and the \$80 million in redirected funds explained above, Congress appropriated a total of \$7.72 billion for EPA in FY2006. Accounting for these funds, EPA received nearly the same amount in FY2007 under P.L. 110-5 as was provided in FY2006, rather than a larger increase implied by the amounts in the table.

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